

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

FAYE WILLIAMS,

Plaintiff,

v.

CREDIT ONE FINANCIAL, *et al.*

Defendants.

2:06-CV-858-BES-RJJ

**ORDER**

Before the Court is the Report and Recommendation of the United States Magistrate Judge (#69) ("Recommendation") entered on May 13, 2008, in which the Magistrate Judge recommends that this Court enter an order granting Defendant's Motion for Sanctions (Doc #55) and this case be dismissed with prejudice. No objection to the Report and Recommendation has been filed.

**I. DISCUSSION**

This Court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate." 28 U.S.C. § 636(b)(1) (2005). Further, under 28 U.S.C. § 636(b)(1), if a party makes a timely objection to the magistrate judge's recommendation, then this Court is required to "make a de novo determination of those portions of the [report and recommendation] to which objection is made."<sup>1</sup> *Id.* Nevertheless, the statute does not "require[ ] some lesser review by [this Court] when no objections are filed." *Thomas v. Arn*, 474 U.S. 140, 149–50 (1985). Instead, under the statute, this Court is not

<sup>1</sup> For an objection to be timely, a party must serve and file it within 10 days after being served with the magistrate judge's report and recommendation. 28 U.S.C. § 636(b)(1) (2005).

1 required to conduct "any review at all . . . of any issue that is not the subject of an objection."  
2 Id. at 149. Similarly, the Ninth Circuit has recognized that a district court is not required to  
3 review a magistrate judge's report and recommendation where no objections have been filed.  
4 See United States v. Reyna-Tapia, 328 F.3d 1114 (9th Cir. 2003) (disregarding the standard  
5 of review employed by the district court when reviewing a report and recommendation to which  
6 no objections were made); see also Schmidt v. Johnstone, 263 F.Supp. 2d 1219, 1226 (D.  
7 Ariz. 2003) (reading the Ninth Circuit's decision in Reyna-Tapia as adopting the view that  
8 district courts are not required to review "any issue that is not the subject of an objection.").  
9 Thus, if there is no objection to a magistrate judge's recommendation, then this Court may  
10 accept the recommendation without review. See e.g., Johnstone, 263 F.Supp. 2d at 1226  
11 (accepting, without review, a magistrate judge's recommendation to which no objection was  
12 filed).

13 In this case, Plaintiff has not filed an objection to the Magistrate Judge's Report and  
14 Recommendation. Although no objection was filed, this Court has reviewed the Report and  
15 Recommendation, and accepts it. Accordingly,

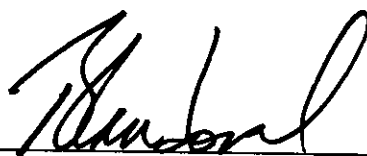
16 IT IS THEREFORE ORDERED that the Magistrate Judge's Report and  
17 Recommendation (#69) entered on May 13, 2008, is adopted and accepted without  
18 modification. Thus, in accordance with the Report and Recommendation,

19 IT IS HEREBY ORDERED that Defendant's Motion for Sanctions (Doc #55) is  
20 GRANTED and this case is DISMISSED WITH PREJUDICE. The Clerk of the Court shall  
21 enter judgment accordingly.

22 IT IS SO ORDERED.

23 DATED: This 17<sup>TH</sup> day of June, 2008.

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UNITED STATES DISTRICT JUDGE